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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/579,855	05/17/2006	Takayuki Araki	Q94609	8089
23373	7590	03/05/2010		
SUGHRUE MION, PLLC			EXAMINER	
2100 PENNSYLVANIA AVENUE, N.W.			JOHNSON, CONNIE P	
SUITE 800				
WASHINGTON, DC 20037			ART UNIT	PAPER NUMBER
			1795	
			NOTIFICATION DATE	DELIVERY MODE
			03/05/2010	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/579,855	<b>Applicant(s)</b> ARAKI ET AL.
	<b>Examiner</b> CONNIE P. JOHNSON	<b>Art Unit</b> 1795

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

1) Responsive to communication(s) filed on 21 October 2009.

2a) This action is FINAL.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

4) Claim(s) 1-4,11-13,15-18 and 21 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-4,11-13,15-18 and 21 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/06)  
 Paper No(s)/Mail Date 6/25/2009

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date: \_\_\_\_\_  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Amendment***

1. The remarks and amendment filed 10/21/2009 have been entered and fully considered.
2. Claims 1-4, 11-13, 15-18 and 21 are presented.
3. Claim 22 is new.
4. Claims 1, 2 and 13 are amended.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
6. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites in line 2, "the hydrophilic group Y further contains -OH having a pKa value of not more than 11." However, the Y group in instant claim 1 is -COOH. The Y group cannot contain both-COOH and -OH simultaneously. It is unclear as to what applicant intends to claim as his invention.

***Claim Rejections - 35 USC § 103***

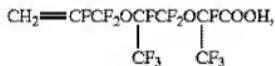
7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1, 3-4, 11-13, 15-18, 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brunsvold et al., U.S. Patent No. 6,057,080 in view of Araki et al., U.S. Patent Publication No. 2003/0152864 A1.

Brunsvold teaches a top antireflective layer comprising an ammonium or amine compound (col. 3, lines 65-67 and col. 4, lines 1-7). Example 5 of the reference shows a method of making a patterned photoresist composition by applying a photoresist to a silicon substrate and overcoating the photoresist with the antireflective film of example 3. Brunsvold teaches using perfluorinated polymers in the top antireflective layer for ease of removal with an alkaline developer. Water is used as a solvent in the antireflective layer as shown in example 2 (col. 4, lines 65-67). The polymer solution has a water content of 95% by weight of the composition. Brunsvold does not teach the fluorinated polymer comprises the structure of formula (2-1) in present claim 1.

Additionally, Araki ('864) teaches fluorinated polymers for resist compositions. The structure I-(2)-2 is representative of formula (2-1) in present claim 1 and is present in an amount of 1 to 99mol% of the fluorinated polymer (page 16, [0275]). The fluorinated polymers are derived from fluorinated monomers with the following structures:



(page 108, example 26). In example 26, the copolymer has a repeating unit with a fluorine-containing alkylene group with 4 carbons and an ether bond, the carboxylic acid group is representative of the hydrophilic

Y group. The same compound used in the reference is used by applicant so the amounts are expected to be the same. The fluorinated polymers have a molecular weight of 1,000 to 1,000,000 (page 12, [0171]). The fluorinated polymer may be used in reflection reducing films (page 91, [0324]). It would have been obvious to one of ordinary skill in the art to use the fluorinated polymer of Araki in the antireflective film of Brunsvold because Araki teaches the fluorinated polymer has a high transparency, a low refractive index and has an acid reactive functional group, which is well known to improve solubility in alkali developers (page 101, [1510]).

***Response to Arguments***

7. Applicant's arguments filed 10/21/2009 with respect to the rejection(s) of claim(s) 1-4, 11-13, 15-18 and 21 under 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made herein.
8. Applicant argues that the structural unit derived from a monomer represented by formula  $\text{CH}_2=\text{CFCF}_2-\text{ORf}_6-\text{Z}_2$  is an optional component and includes many and various monomers.
9. In the new 103(a) rejection, Araki ('864) teaches specific compounds in example 26 with the structure that is representative of formula (2-1) in present claim 1. Brunsvold is used to show a fluorinated polymer and amine compound in a top antireflective coating composition.
10. The declaration under 37 CFR 1.132 filed 10/21/2009 is sufficient to overcome the rejection of claims 1-4, 11-13, 15-18 and 21 based upon the 103(a) rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CONNIE P. JOHNSON whose telephone number is (571)272-7758. The examiner can normally be reached on 7:30am-4:00pm Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly can be reached on 571-272-1526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Connie P. Johnson  
Examiner  
Art Unit 1795

/Cynthia H Kelly/

Supervisory Patent Examiner, Art Unit 1795